

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 6, 2019

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JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 6, 2019

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dave Martin, Faith Church, Marshalltown. He was the guest of Fisher of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jackson Helgevold, Page from Eagle Grove.

The Journal of Tuesday, February 5, 2019, was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 5](#), by Salmon, Fisher, Shipley, Gustafson, Baxter, Osmundson, Wheeler, Moore, Jacobsen, Dolecheck, Bacon, Gassman, Thompson, Jeneary, Gerhold, and Holt, a joint resolution proposing an amendment to the Constitution of the State of Iowa that the Constitution of the State of Iowa does not secure or protect a right to or require the funding of abortion.

Read first time and referred to committee on **Judiciary**.

[House File 239](#), by Kaufmann, a bill for an act relating to public utility crossings of railroad rights-of-way.

Read first time and referred to committee on **State Government**.

[House File 240](#), by Shipley, a bill for an act providing for exemptions for virtual currency from certain security and money transmission regulations.

Read first time and referred to committee on **Commerce**.

[House File 241](#), by Shipley and Wheeler, a bill for an act relating to the adoption of a statement of free expression by the board of regents prior to the commencement of the fall 2019 academic calendar year.

Read first time and referred to committee on **Education**.

[House File 242](#), by Mascher, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

[House File 243](#), by Isenhart, a bill for an act relating to county funding of services for persons with substance-related disorders and co-occurring mental health and substance-related disorders, including intensive mental health services provided through access centers and intensive residential service homes, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

[House File 244](#), by Shipley, a bill for an act relating to massage therapy including the inclusion of massage therapy as a covered service under Medicaid managed care, the creation of an exemption from the computation of net income for the individual income tax of amounts paid for massage therapy, and including applicability provisions.

Read first time and referred to committee on **Human Resources**.

[House File 245](#), by Shipley, a bill for an act relating to yoga including the inclusion of yoga practice as a covered service under Medicaid managed care, the creation of an exemption from the computation of net income for the individual income tax of amounts paid for yoga equipment and yoga practice, and including applicability provisions.

Read first time and referred to committee on **Human Resources**.

[House File 246](#), by Shipley, a bill for an act establishing the immunization informed consent Act, and providing penalties.

Read first time and referred to committee on **Human Resources**.

[House File 247](#), by Shipley, a bill for an act relating to training and instruction of inmates for personal betterment and self-improvement.

Read first time and referred to committee on **Public Safety**.

[House File 248](#), by Shipley, a bill for an act removing psilocybin and psilocyn from the list of substances classified as schedule I controlled substances under Iowa's uniform controlled substances Act.

Read first time and referred to committee on **Public Safety**.

[House File 249](#), by Shipley, a bill for an act relating to the classification of certain schedule I controlled substances.

Read first time and referred to committee on **Public Safety**.

[House File 250](#), by Shipley, a bill for an act relating to forfeiture of property for criminal offenses.

Read first time and referred to committee on **Public Safety**.

[House File 251](#), by Shipley, a bill for an act relating to reporting requirements and oversight of law enforcement agencies that seize and forfeit property under state or federal law.

Read first time and referred to committee on **Public Safety**.

[House File 252](#), by Mascher, a bill for an act providing that the public retirement systems committee study the feasibility of authorizing internal investment management for the Iowa public retirement system.

Read first time and referred to committee on **State Government**.

[House File 253](#), by Shipley, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Read first time and referred to committee on **Transportation**.

[House File 254](#), by Shipley, a bill for an act authorizing a property tax exemption for certain property used for shared services and business assistance and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 255](#), by Shipley, a bill for an act relating to the taxation of virtual currencies, and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 256](#), by Wheeler, a bill for an act relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

Read first time and referred to committee on **Education**.

[House File 257](#), by Salmon, Gassman, Baxter, Shipley, Wheeler, Holt, Jacobsen, Wills, Gustafson, Osmundson, Kerr, Moore, Lundgren, Dolecheck, Fisher, Bacon, and Thompson, a bill for an act relating to the distribution of certain funds for abortions.

Read first time and referred to committee on **Human Resources**.

[House File 258](#), by Salmon, Holt, Gassman, Baxter, Gustafson, Shipley, Wheeler, Jacobsen, Osmundson, Kerr, Moore, Lundgren, McKean, Dolecheck, Fisher, Bacon, and Thompson, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

[House File 259](#), by Windschitl, a bill for an act relating to the carrying, possession, or transportation of weapons on school grounds, at places of employment, at certain entertainment venues owned or operated by a political subdivision, and in county courthouses.

Read first time and referred to committee on **Public Safety**.

[House File 260](#), by committee on Commerce, a bill for an act relating to permissible interest rates and charges for certain loans.

Read first time and placed on the **calendar**.

[House File 261](#), by committee on Commerce, a bill for an act relating to the removal of city utility board members, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 262](#), by committee on Commerce, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Read first time and placed on the **calendar**.

[House File 263](#), by committee on Commerce, a bill for an act relating to application fees for certain consumer loans.

Read first time and placed on the **calendar**.

[House File 264](#), by committee on Commerce, a bill for an act relating to the division of domestic stock insurers.

Read first time and placed on the **calendar**.

[House File 265](#), by committee on Judiciary, a bill for an act relating to the confidentiality of search warrant information in a criminal case resulting in an acquittal or a dismissal.

Read first time and placed on the **calendar**.

[House File 266](#), by committee on Judiciary, a bill for an act relating to the civil commitment of sexually violent predators.

Read first time and placed on the **calendar**.

[House File 267](#), by committee on Judiciary, a bill for an act relating to clerks of court, including the number of counties in which a clerk may serve and residency requirements.

Read first time and placed on the **calendar**.

[House File 268](#), by Hinson, a bill for an act requiring the department of management to establish and operate a searchable internet site containing budget, audit, and financial information of school districts.

Read first time and referred to committee on **Appropriations**.

[House File 269](#), by Isenhardt, a bill for an act relating to utility cost disclosures in connection with rental properties, providing penalties, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

[House File 270](#), by Bearinger, a bill for an act relating to the testing of well water of dwelling units and mobile home spaces prior to entering into rental agreements.

Read first time and referred to committee on **Commerce**.

[House File 271](#), by Mascher, a bill for an act relating to the calculation and use of certain school district and area education agency categorical funding supplements and including applicability provisions.

Read first time and referred to committee on **Education**.

[House File 272](#), by Mascher, a bill for an act relating to private instruction by adding reporting requirements and requiring school districts to conduct health and safety visits for children placed under independent private instruction or private instruction.

Read first time and referred to committee on **Education**.

[House File 273](#), by Mascher, a bill for an act expanding the eligibility for the statewide preschool program and including applicability provisions.

Read first time and referred to committee on **Education**.

[House File 274](#), by Hinson, a bill for an act requiring the department of education to compile reports on physical education programs in school districts.

Read first time and referred to committee on **Education**.

[House File 275](#), by Mascher, a bill for an act establishing appropriations to accounts within the early childhood Iowa fund.

Read first time and referred to committee on **Education**.

[House File 276](#), by Salmon, Holt, Gassman, Gustafson, Baxter, Shipley, Wheeler, Jacobsen, Osmundson, Fisher, and Thompson, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

[House File 277](#), by Maxwell, a bill for an act creating a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 278](#), by Jacoby, a bill for an act relating to the taxation under the state corporate income tax, franchise tax, and insurance companies tax of compensation paid by a publicly held corporation to its chief executive officer, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 279](#), by Jones, Paustian, and McKean, a bill for an act abolishing county compensation boards.

Read first time and referred to committee on **Local Government**.

[House File 280](#), by Wolfe, a bill for an act relating to firearm or offensive weapon possession by convicted felons and certain juveniles adjudicated as delinquent, and providing penalties.

Read first time and referred to committee on **Public Safety**.

[House File 281](#), by Kaufmann, a bill for an act relating to the definition of medical cannabidiol.

Read first time and referred to committee on **Public Safety**.

[House File 282](#), by Kaufmann, a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

Read first time and referred to committee on **Public Safety**.

On motion by Hagenow of Dallas, the House was recessed at 8:47 a.m., until the conclusion of the afternoon committee blocks.

AFTERNOON SESSION

The House reconvened at 4:45 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 6](#), by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Read first time and placed on the **calendar**.

[House File 283](#), by Brown-Powers, a bill for an act relating to the regulation of tanning facilities and making penalties applicable.

Read first time and referred to committee on **Human Resources**.

[House File 284](#), by Brown-Powers, a bill for an act relating to the evaluation of Medicaid-managed care long-term services and supports.

Read first time and referred to committee on **Human Resources**.

[House File 285](#), by McKean, a bill for an act relating to certain political communications and voluntary ethics statements and making penalties applicable.

Read first time and referred to committee on **State Government**.

[House File 286](#), by B. Meyer, a bill for an act relating to the creation of a green alert program for missing veterans-at-risk.

Read first time and referred to committee on **State Government**.

[House File 287](#), by Jacoby, Kaufmann, Mohr, Olson, B. Meyer, Wessel-Kroeschell, Isenhardt, Hunter, Abdul-Samad, R. Smith, James, Nielsen, Kacena, Thede, Anderson, Kurtz, Cohoon, Gaskill, and Kressig, a bill for an act relating to the midwest interstate passenger rail compact, and including effective date provisions.

Read first time and referred to committee on **Transportation**.

[House File 288](#), by committee on Veterans Affairs, a bill for an act relating to military and veterans benefits.

Read first time and placed on the **calendar**.

[House File 289](#), by committee on Veterans Affairs, a bill for an act concerning the distribution of gambling game receipts for charitable purposes.

Read first time and placed on the **calendar**.

[House File 290](#), by committee on Economic Growth, a bill for an act relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Read first time and placed on the **calendar**.

[House File 291](#), by committee on Human Resources, a bill for an act relating to the community spouse resource allowance under the Medicaid program.

Read first time and placed on the **calendar**.

[House File 292](#), by committee on Human Resources, a bill for an act relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals.

Read first time and placed on the **calendar**.

[House File 293](#), by Shipley, a bill for an act creating a direct marketing food initiative task force to study issues affecting the direct marketing of food produced by farmers to consumers.

Read first time and referred to committee on **Commerce**.

[House File 294](#), by Fry, a bill for an act relating to the brain injury home and community-based services waiver monthly budget maximum.

Read first time and referred to committee on **Human Resources**.

[House File 295](#), by Fry and Heddens, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Read first time and referred to committee on **Human Resources**.

[House File 296](#), by Fry, a bill for an act relating to the enrollment process for Medicaid home and community-based services waivers.

Read first time and referred to committee on **Human Resources**.

[House File 297](#), by Shipley, a bill for an act relating to the provision of informed consent prior to the administration of a vaccine.

Read first time and referred to committee on **Human Resources**.

[House File 298](#), by Fry, a bill for an act relating to temporary staffing agencies for nursing services.

Read first time and referred to committee on **Human Resources**.

[House File 299](#), by Jacobsen, Anderson, Fisher, Kerr, Baxter, Thompson, Sorensen, Bacon, Gaskill, McConkey, Salmon, Kurth, Gerhold, Gustafson, Wheeler, and Bossman, a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

Read first time and referred to committee on **Judiciary**.

[House File 300](#), by Windschitl, a bill for an act directing the department of natural resources to develop and offer for use a mobile application for purchasing and displaying licenses and tags for hunting and fishing.

Read first time and referred to committee on **Natural Resources**.

[House File 301](#), by Gaskill, a bill for an act relating to the definition of intelligent mail barcode and mailed absentee ballots.

Read first time and referred to committee on **State Government**.

[House File 302](#), by Jacobsen, a bill for an act requiring rescission of existing regulations by state agencies when new regulations are adopted, providing for approval by the department of management of rulemaking, providing related procedures, and including effective date and applicability provisions.

Read first time and referred to committee on **State Government**.

[House File 303](#), by committee on Economic Growth, a bill for an act relating to a statewide welcome center program.

Read first time and placed on the **calendar**.

[House File 304](#), by committee on Human Resources, a bill for an act relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals.

Read first time and placed on the **calendar**.

[House File 305](#), by committee on Economic Growth, a bill for an act relating to the enhance Iowa board and moneys allocated by the board.

Read first time and placed on the **calendar**.

[House File 306](#), by committee on Education, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 307](#), by committee on Appropriations, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, establishing transportation data review and reporting requirements, and including effective date provisions.

Read first time and placed on the **Appropriations calendar**.

SPONSOR ADDED

[House File 147](#) — Donahue of Linn

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 128](#) Education

Relating to a financial literacy requirement under the state's educational standards.

H.S.B. 129 Education

To require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions.

H.S.B. 130 Education

Relating to incentives for whole grade sharing and school district reorganization or dissolution.

H.S.B. 131 Education

Relating to the transportation equity program by establishing funding amounts, making appropriations, and including effective date provisions.

H.S.B. 132 Commerce

Relating to financial responsibility requirements for liability arising out of the ownership, maintenance, or use of a motor vehicle.

H.S.B. 133 Transportation

Relating to wrecked or salvage motor vehicles.

H.S.B. 134 Judiciary

Relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child.

H.S.B. 135 Veterans Affairs

Relating to the creation of a green alert program for missing veterans-at-risk.

H.S.B. 136 Judiciary

Relating to nonsubstantive Code corrections.

SUBCOMMITTEE ASSIGNMENTS

[House File 52](#)

Public Safety: Salmon, Chair; Fry and Kressig.

[House File 227](#)

Ways and Means: Bossman, Chair; Bloomingdale and Kurth.

[House File 233](#)

Judiciary: Hinson, Chair; Bergan and Wessel-Kroeschell.

[House File 254](#)

Ways and Means: Windschitl, Chair; Hein and Jacoby.

[House File 255](#)

Ways and Means: Windschitl, Chair; Hein and Jacoby.

[House File 277](#)

Ways and Means: Zumbach, Chair; Jacoby and Maxwell.

[House File 278](#)

Ways and Means: Windschitl, Chair; Hein and Jacoby.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 128](#)

Education: A. Meyer, Chair; Gassman and Staed.

[House Study Bill 129](#)

Education: Hanusa, Chair; Gaines and A. Meyer.

[House Study Bill 130](#)

Education: Moore, Chair; Mascher and Shipley.

[House Study Bill 131](#)

Education: Dolecheck, Chair; Gassman and Winckler.

[House Study Bill 132](#)

Commerce: Bloomingdale, Chair; Grassley and Hall.

[House Study Bill 133](#)

Transportation: Carlson, Chair; Best and Cohoon.

[House Study Bill 134](#)

Judiciary: Gustafson, Chair; Bergan and B. Meyer.

[House Study Bill 135](#)

Veterans Affairs: Jeneary, Chair; Kacena and Wills.

[House Study Bill 136](#)

Judiciary: Mitchell, Chair; Konfrst and McKean.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly [House Study Bill 111](#)), relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2019.

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House Study Bill 5](#)), relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 40](#)), relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly [House Study Bill 63](#)), relating to the enhance Iowa board and moneys allocated by the board.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 66](#)), relating to a statewide welcome center program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 85](#)), relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House Study Bill 109](#)), relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

COMMITTEE ON ETHICS

Committee Bill (Formerly [House Study Bill 96](#)), relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 97](#)), relating to the code of ethics of the House of Representatives for the Eighty-eighth General Assembly.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2019.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 74](#)), relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 75](#)), relating to the community spouse resource allowance under the Medicaid program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 76](#)), relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 9](#)), relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 10](#)), relating to state employee defense and indemnification from certain claims and actions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 21](#)), relating to the exploitation of a dependent adult by a caretaker.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 25](#)), relating to the requirements for certifications of trust and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 28](#)), relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 30](#)), relating to the definition of vulnerable elder.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2019.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House File 49](#)), relating to weapons requirements for nonambulatory hunters.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House File 156](#)), relating to damages assessed for engaging in prohibited actions involving eagles, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly [House Study Bill 55](#)), proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 59](#)), relating to low-proof spirit beverages.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2019.

Committee Bill (Formerly [House Study Bill 64](#)), relating to the practice of optometry.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 5, 2019.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House Study Bill 84](#)), relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

Committee Bill (Formerly [House Study Bill 108](#)), relating to claiming the adoption tax credit for qualified adoption expenses paid or incurred during a tax year and including retroactive applicability provisions

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2019.

On motion by Hagenow of Dallas, the House adjourned at 4:50 p.m., until 8:30 a.m., Thursday, February 7, 2019.